

REMARKS

The Examiner has rejected claims 1-27 of the present application under 35 U.S.C. §102(b) on the grounds that the claimed invention is anticipated by U.S. Patent No. 5,875,437 to Atkins. Based on the amendments made to the independent claims of the present application and the remarks set forth below, Applicants respectfully request the Examiner to withdraw the rejection of claims 1-27.

Atkins is directed toward a system for the operation and management of one or more financial accounts through the use of a digital communication and computation system for exchange, investment and borrowing. In particular, Atkins discloses a computer-based system for operating a plurality of financial accounts. A database is included that has, for each client account, at least one asset account that receives funds for investment purposes. The asset account has an account balance that is updated by the computer system upon receipt of the funds. The asset account also has at least one loan secured by a mortgage on a home and one or more assets.

The computer system also includes a means for allocating the received funds among the accounts. A borrowing power for each client account is calculated and compared to a minimum established for each particular account and the result is capable of being reported. The computer-system is also capable of updating the borrowing power calculation when changes occur to assets and liabilities in each respective client account. The client account holder is also provided with a means for performing financial transactions that produce changes in assets and liabilities.

The Examiner has rejected independent claim 1 of the present application as being anticipated by Atkins. Independent claim 1 is directed toward providing a financial analysis for an enhanced wireless communication service. This claim includes the limitation of accepting user-specific input on an existing wireless

communication service and the enhanced wireless communication service. Applicant has amended independent claim 1 to further include the limitation that the user-specific input includes a wireless application selection and a market data input interface for entering existing data about the existing wireless access network.

The Examiner asserts that Atkins teaches accepting user-specific input on an existing wireless communication service and the enhanced wireless communication service. Atkins does not teach this limitation but rather discloses using the SmartWallet and SmartPurse devices as wireless or wired communication devices to send and receive, voice, data, video, documents, live financial quotations, and the like. *See* (Col. 32, lines 29-38). Contrary to the Examiner's assertion, Atkins does not teach or disclose accepting user input on existing and enhanced wireless communication services for providing a financial analysis of the enhanced wireless communication service. As such, Applicant respectfully requests the Examiner to withdraw the rejection of independent claim 1 as it is not anticipated by Atkins.

As set forth above, independent claim 1 has been amended to include the limitation that the user-specific input includes a wireless application selection and a market data input interface for entering existing data about the existing wireless access network. Atkins clearly does not disclose allowing a user to enter a wireless application selection that relates to a wireless application that is planned to be offered over the enhanced wireless communication service. Atkins also does not disclose providing a market data input interface for entering existing data about the existing wireless access network. As such, Atkins does not disclose or teach each and every limitation of the presently claimed invention and Applicants hereby respectfully request the Examiner to withdraw the rejection of independent claim 1.

The Examiner also asserts that Atkins discloses accessing a reference database including general market data applicable to the enhanced wireless communication service and a standard adoption curve for adoption of the enhanced wireless communication service. In support of this assertion, the Examiner has referred Applicant to column 31 (line 66) to column 32 (line 17) of Atkins. Applicants respectfully fail to see how the present limitation is disclosed in the cited section of Atkins or anywhere in Atkins for that matter. As such, Applicants respectfully request the Examiner to withdraw the rejection of independent claim 1 as Applicants' claimed invention is not anticipated by Atkins.

Several other limitations in independent claim 1 are also not disclosed in Atkins. However, Applicant feels that it has clearly pointed out that Atkins does not anticipate independent claim 1 and respectfully requests the Examiner to withdraw the rejection.

The Examiner has also rejected independent claim 17 as being anticipated by Atkins. Applicants have amended independent claim 17 for clarity and to further distinguish the claimed invention from the prior art of record. The arguments set forth above with respect to independent claim 1 apply equally to independent claim 17 and as such, Applicants respectfully request the Examiner to withdraw the rejection of independent claim 17.

The Examiner has also rejected dependent claims 2-16 and 18-27 as being anticipated by Atkins. These claims are dependent upon independent claims 1 and 17 and as such, include all of the limitations of these independent respective claims and any intervening base claims. As set forth above, Applicants believe that independent claims 1 and 17 are allowable in their present form and as such, respectfully request

the Examiner for reconsideration and to withdraw the rejection of these claims as they are not anticipated by Atkins.

Applicants believe that the present application is in condition for allowance and respectfully requests that the Examiner issue a Notice of Allowance indicating the same. If the Examiner feels that a telephone conversation with Applicants' attorney of record will help expedite prosecution of this application, the Examiner is invited to contact the undersigned at (317) 636-0886. A copy of the marked-up claims follows below.

Respectfully submitted,



Dean E. McConnell
Attorney for Applicant
Reg. No.: 44, 916

BRINKS HOFER GILSON & LIONE
One Indiana Square, Suite 2425
Indianapolis, IN 46204
Telephone: 317-636-0886
Facsimile: 317-634-6701

VERSION WITH MARKINGS TO SHOW CHANGES MADE

1. (Once Amended) A method for providing a financial analysis for an enhanced wireless communication[s] service, the method comprising the steps of:

accepting user-specific input on an existing wireless communication service and the enhanced wireless communication[s] service, wherein the user-specific input includes a wireless application selection and a market data input interface for entering existing data about the existing wireless communication service;

accessing a reference database including general market data applicable to the enhanced wireless communication[s] service and a standard adoption curve for adoption of the enhanced wireless communication[s] service;

adjusting the standard adoption curve to obtain an adjusted adoption curve based on the accepted user-specific input; and

presenting a graphical depiction of a financial analysis based on an evaluation of the adjusted adoption curve and the general market data.

17. (Once Amended) A system for developing a business model for an enhanced wireless communication[s] service, the system comprising:

a storage device containing a reference database including general market data for the enhanced wireless communication[s] service and a standard adoption curve for adoption of the enhanced wireless communication[s] service;

[an estimator adapted to access the reference database and to perform a financial analysis associated with the enhanced wireless communications service;]

a user input interface for accepting user-specific input on an existing wireless communication[s] service and the enhanced wireless communication service, wherein [the user interface providing] the user-specific input [data to the estimator] includes a

wireless application selection and a market data input interface for entering existing data about the existing wireless communication service;

an application tailoring module for [handling] modifying the standard adoption curve to obtain an adjusted adoption curve based on the [accepted] user-specific input;

an estimator adapted to access the reference database and to receive the user-specific input to perform a financial analysis associated with the enhanced wireless communication service; and

a financial analyzer for presenting a graphical depiction of the financial analysis.